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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,989	03/12/2004	Oscar Kipersztok	7784-000497COA	8786
27572	7590	11/02/2005	EXAMINER	
HARNESSE, DICKEY & PIERCE, P.L.C.			TO, TUAN C	
P.O. BOX 828			ART UNIT	PAPER NUMBER
BLOOMFIELD HILLS, MI 48303			3663	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/799,989

Applicant(s)

KIPERSZTOK ET AL.

Examiner

Tuan C. To

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2005 and 11 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 16-25 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26-29 is/are allowed.
- 6) ☒ Claim(s) 1,4-6,8 and 10-13 is/are rejected.
- 7) ☒ Claim(s) 2,3,7,9,14 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Group I, species A, species g, claims 1-15, and 26-29 in the reply filed on 08/11/2005 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 4-6, 8, 10-13 are rejected under 35 U.S.C. 102 (e) as being anticipated by Felke et al. (US 20040034456A1).

With respect to claims 1, 12, and 13, Felke et al. disclose a system/method for improving fault isolation, in which multistage decision is made via capturing a set of symptoms and identifying a set of repairs consistent with the set of symptoms. In Felke et al., at least one of average cost for repairing and historical component is defined as a variable associated with the repairs when a set of repairs are identified (Felke et al., page 1, paragraph 0007). It should be noted that the system/method as disclosed in Felke et al. is applied in aircraft maintenance.

Felke et al. teach that the system/method for improving fault isolation includes a user interface (105) for downloading failure mode or condition relevant data such as observed symptoms or test result (see page 3, paragraph 0019, lines 9-13).

As clearly represented in Felke et al., a maintenance action is automatically provided, for example, a set of repairs are identified to be consistent with a set of observed symptoms (Felke et al. abstract).

With regard to claim 4, as discussed herein above, Felke et al. show that the maintenance action is automatically provided, for example, a set of repairs are provided as being consistent with a set of observed symptoms (Felke et al. abstract).

With regard to claim 5, Felke et al. disclose one or more tests and remedial actions for the aircraft over multiple stage in accordance with the observed symptoms and also the cost of repairing (Felke et al., abstract).

With regard to claim 6, Felke et al. teach that the maintenance action includes repairing a suspect component (Felke et al., column 3, page 23).

With regard to claim 8, Felke et al. further disclose the following: "receiving at least one input relating to an outcome of a test, and re-determining the maintenance action in light of the outcome of the test (Felke et al., page 4, paragraph 25, lines 1-12).

With regard to claim 10, as represented herein above, Felke et al. directs to repair cost or historical component is identified as one or more variable associated with preflight dispatch.

With regard to claim 11, Felke et al. teach the repair cost as one of the variables of the extended diagnostic model (see abstract).

Allowable Subject Matter

The examiner has recognized that the prior art fails to disclose the limitations as claimed in claim 26, therefore, claims 26-29 are set in a condition of allowance.

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Claims 2, 3, 7, 9, 14, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to claims 1, 4-6, 8, 10-13 have been considered but are moot in view of the new ground(s) of rejection.

Claims 26-29 are set in a condition of allowance. Claims 2, 3, 7, 9, 14, and 15 are objected as stated herein above. Claims 16-25 are withdrawn from consideration due to they are non-elected claims.

Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

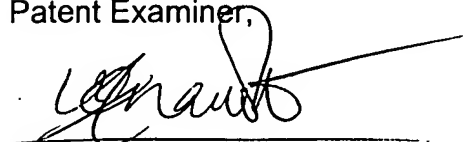
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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner,

A handwritten signature in black ink, appearing to read 'Tuan C To', is written over a horizontal line.

Tuan C To

October 28, 2005